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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,560	09/18/2001	Katsumi Tsukada	P6064a	1318

20178 7590 06/16/2004

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EXAMINER

RAMAKRISHNAIAH, MELUR

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 06/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/955,560

Applicant(s)

TSUKADA ET AL

Examiner

Melur Ramakrishnaiah

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Specification

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The specification is objected to under 35 U.S.C 112, first paragraph, as failing to provide an enabling disclosure

Claim Rejections - 35 USC § 112

1. Claims 1-10 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Independent claims 1 and 6 both recite limitation: "the command circuit being responsive to one of the commands to change the flow of data to one of the display driver and the data processing section to flowing to the other of the display driver and the data processing section". cursory reading of this limitation implies that there are at least two display drivers and two data processing sections and command circuit effects change from one display driver and the data processing section to the other display driver and data processing section. But according to Applicant's fig. 1, there is shown only one display driver (item 17, fig. 1) and one data processing section (item 16, fig. 1).

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-4, 6-9, are rejected under 35 U.S.C. 102(e) as being anticipated by Holzhammer et al. (US PAT: 6,092,209, filed 1-19, 1998, hereinafter Holzhammer).

Regarding claim1, Holzhammer discloses a data processing apparatus comprising a display (not shown) for displaying characters and images, a display driver that controls display of characters and images on the display based on commands (col. 4 lines 46-55), a data processing section (reads on computer CPU, not shown, see abstract) that transmits instructions to the display driver device, and a command circuit (reads on 21, fig. 1) that receives and analyzes commands to control flow of data to one of the display driver device and data processing section (col. 4 lines 6-42), the

command circuit being responsive to one of the commands to change the flow of data to one of display driver and data processing section to flowing to the other of the display driver and data processing section (col. 4 lines 63-67, col. 5 lines 1-6, col. 9 lines 5-14).

Regarding claim 6, Holzhammer further discloses a method of data processing apparatus comprising display device (not shown) for displaying characters and images, a display driver device that controls display of characters and images on the display device based on commands (col. 4 lines 46-55), a data processing section (reads on computer CPU, not shown, see abstract) that transmits instructions to the display driver device, and a command circuit (reads on 21, fig. 1) that receives and analyzes commands, comprising: controlling flow of data, by data processing section, to one of the display driver devices and data processing section (col. 4 lines 6-42), and responding to one of the commands to change the flow of data from flowing to one of display driver and data processing section to flowing to the other of the display driver and data processing section (col. 4 lines 63-67, col. 5 lines 1-6, col. 9 lines 5-14).

Regarding claims 2-4, 7-9, Holzhammer teaches the following: data processing section functions in one of an operation state and low power consumption state, and shifts to low power consumption state in response to a command shift to the low power consumption state or if no command is received for a predetermined period of time , data processing section (reads on computer CPU) functions in one of an operation state and power-saving state, and shifts to the operation state in response to a command requiring processing by the data processing section and shifts to power saving state when the processing is completed (col. 3 lines 11-27, col. 2 lines 30-60, col. 5 lines 7-9),

data processing section includes display data, key input data from a host CPU and communicated data from or to the host CPU (col. 2 lines 30-60, col. 9 lines 5-14).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5 and 10, are rejected under 35 U.S.C. 103(a) as being unpatentable over Holzhammer in view of Shirai (JP2000224298A).

Regarding claims 5 and 10, Holzhammer does not teach the following: data processing apparatus is one of mobile phone, a hand carry data terminal, a digital still camera, and information home appliance.

However, Shirai discloses portable radio communication equipment which teaches the following: data processing apparatus is one of mobile phone, a hand carry data terminal, a digital still camera, and information home appliance (fig. 1, see abstract).


Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Holzhammer's system to provide for the following: data processing apparatus is one of mobile phone, a hand carry data terminal, a digital still camera, and information home appliance as this arrangement would provide facilities for

using other data processing devices such as a radio telephone as taught by Shirai, thus giving user choice to use required communication devices.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (703) 305-1461. The examiner can normally be reached on M-F 6:30-4:00; every other F Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (703)305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Melur Ramakrishnaiah
Primary Examiner
Art Unit 2643